

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WESLEY THOMAS SUMPTER,

Plaintiff,

-against-

CHRIS BAUMGARDNER, et al.,

Defendants.

25-CV-1480 (LTS)

ORDER DIRECTING PAYMENT OF FEE  
OR AMENDED IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. To proceed with a civil action in this court, a plaintiff must either pay \$405.00 in fees – a \$350.00 filing fee plus a \$55.00 administrative fee – or, to request authorization to proceed without prepayment of fees, submit a signed *in forma pauperis* (“IFP”) application. *See* 28 U.S.C. §§ 1914, 1915.

Plaintiff submitted an IFP application, but his responses do not establish that he is unable to pay the filing fees. Plaintiff states that he does not receive any source of income or describe how he pays for any of this necessities, including his housing and food. Because Plaintiff does not provide any information regarding his financial circumstances, the Court cannot determine whether his IFP application should be granted.

Accordingly, within thirty days of the date of this order, Plaintiff must either pay the \$405.00 in fees or submit the attached amended IFP application. If Plaintiff submits the amended IFP application, it should be labeled with docket number 24-CV-7901, and address the deficiencies described above by providing facts to establish that he is unable to pay the filing fees. If the Court grants the amended IFP application, Plaintiff will be permitted to proceed without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1).

### CONCLUSION

No summons or answer shall issue at this time. If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed without prejudice.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: February 26, 2025  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge